

DANIEL G. BOGDEN  
 United States Attorney  
 Nevada State Bar No. 2137  
 MICHAEL A. HUMPHREYS  
 Assistant United States Attorney  
 Lloyd D. George United States Courthouse  
 333 Las Vegas Boulevard South, Suite 5000  
 Las Vegas, Nevada 89101  
 Telephone: (702) 388-6336  
 Facsimile: (702) 388-6787  
 Counsel for Plaintiff

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:11-CV-1133-APG-(CWH)
	)	
2009 MERCEDES-BENZ, MODEL SL550	)	
VIN: WDBSK71F39F142690,	)	
	)	
2006 FERRARI F430	)	
VIN: ZFFEW58A360149771,	)	
	)	
2008 SUPRA 24 SUNSPORT	)	
SERIAL NO. ISRSF031A808,	)	
	)	
2008 BOAT MATE TRAILER	)	
VIN: 5A7BB242X8T002509,	)	
	)	
2009 HONDA PILOT EX-L	)	
VIN: 5FNYF485X9B050010,	)	
	)	
Defendants.	)	

**MOTION FOR ENTRY OF AMENDED CLERK'S DEFAULT AND AMENDED DEFAULT  
 JUDGMENT OF FORFEITURE NUNC PRO TUNC AND ORDER**

The United States of America ("United States"), by and through its attorneys, Daniel G. Bogden, United States Attorney for the District of Nevada, and Michael A. Humphreys, Assistant United States Attorney, respectfully moves this Court to replace the Clerk's Default (ECF No. 39)

1 and the Default Judgment of Forfeiture (ECF No. 42) with the attached Amended Clerk's Default  
2 and the Amended Default Judgment of Forfeiture nunc pro tunc due to a typographical error.

3 On October 16, 2013, a Notice of Filing Service of Process was filed evidencing that on  
4 October 5, 2013, Robert Johnson was served with the Complaint, the Orders for Summonses and  
5 Warrants, the Summonses and Warrants, and the Notice by regular mail and certified mail return  
6 receipt requested. Notice of Filing Service of Process, ECF No. 36.

7 On November 22, 2013, a Notice of Corrected Image/Document was filed replacing the  
8 earlier image filed in the Notice of Filing Service of Process (ECF No. 36). Notice of Corrected  
9 Image/Document, ECF No. 37.

10 On November 26, 2013, a Clerk's Default was entered defaulting: (1) 2009 MERCEDES-  
11 BENZ, MODEL SL550 VIN: WDBSK71F39F142690; 2006 FERRARI F430 VIN:  
12 ZFFEW58A360149771; 2008 SUPRA 24 SUNSPORT SERIAL NO. ISRSF031A808; 2008 BOAT  
13 MATE TRAILER VIN: 5A7BB242X8T002509; 2009 HONDA PILOT EX-L VIN:  
14 5FNYP485X9B050010; (2) Robert Johnson; and (3) all other persons and entities having an interest  
15 in the defendant property. Clerk's Default, ECF No. 39.

16 On January 17, 2014, a Default Judgment of Forfeiture was entered against: (1) 2009  
17 MERCEDES-BENZ, MODEL SL550 VIN: WDBSK71F39F142690; 2006 FERRARI F430 VIN:  
18 ZFFEW58A360149771; 2008 SUPRA 24 SUNSPORT SERIAL NO. ISRSF031A808; 2008 BOAT  
19 MATE TRAILER VIN: 5A7BB242X8T002509; 2009 HONDA PILOT EX-L VIN:  
20 5FNYP485X9B050010; (2) Robert Johnson; and (3) all other persons and entities having an interest  
21 in the defendant property in the above-entitled action. Default Judgment of Forfeiture, ECF No. 42.

22 On September 12, 2014, the United States filed a Supplemental Notice of Filing Service of  
23 Process for Robert Johnson and Guaranteed Loans, LLC. Supplemental Notice of Filing Service of  
24 Process for Robert Johnson and Guaranteed Loans, LLC, ECF No. 43.

25 Robert Johnson is the manager and member of a business titled Guaranteed Loans, LLC  
26 (Supplemental Notice of Filing Service of Process for Robert Johnson and Guaranteed Loans, LLC,

1 ECF No. 43-2, p. 1-3). Because of a typographical error Guaranteed Loans, LLC was not listed on  
2 the Clerk's Default or the Default Judgment of Forfeiture. Since Robert Johnson is the listed  
3 manager and member of Guaranteed Loans, LLC, the company was served on October 5, 2013, via  
4 Robert Johnson, with the Complaint, the Orders for Summonses and Warrants, the Summonses and  
5 Warrants, and the Notice by regular mail and certified mail return receipt requested.

6 Based on the foregoing, this Court should replace the Clerk's Default (ECF No. 39) and the  
7 Default Judgment of Forfeiture (ECF No. 42) with the Amended Clerk's Default and Amended  
8 Default Judgment of Forfeiture nunc pro tunc, where the government failed to type in Guaranteed  
9 Loans, LLC.

10 There are no changes in the nunc pro tunc Amended Clerk's Default except "Robert  
11 Johnson" is changed to "Robert Johnson and Guaranteed Loans, LLC".

12 The minor changes in the nunc pro tunc Amended Default Judgment of Forfeiture are the  
13 following:

- 14 A. On page 3, lines 8 and 9, and page 4, lines 12-13, of the Amended Default  
15 Judgment of Forfeiture, "Robert Johnson" is changed to "Robert Johnson and  
16 Guaranteed Loans, LLC";
- 17 B. On page 3, lines 9 and 10, of the Amended Default Judgment of Forfeiture  
18 "Robert Johnson is the manager and member of Guaranteed Loans, LLC" is  
19 added; and
- 20 C. On page 3, lines 23-26, and page 4, lines 1-2, of the Amended Default  
21 Judgment of Forfeiture, the following paragraph is added: "On September 12,  
22 2014, a Supplemental Notice of Filing Service of Process for Robert Johnson  
23 and Guaranteed Loans, LLC was filed evidencing that on October 5, 2013, the  
24 Complaint, the Orders for Summonses and Warrants, the Summonses and  
25 Warrants of Arrest in Rem for the Property, and the Notice were served on  
26 Robert Johnson and Guaranteed Loans, LLC by regular mail and certified

1 mail return receipt requested. Supplemental Notice of Filing Service of  
2 Process for Robert Johnson and Guaranteed Loans, LLC, ECF No. 43”.

3 Based on the foregoing, this Court should replace the Clerk’s Default (ECF No. 39) and the  
4 Default Judgment of Forfeiture (ECF No. 42) with the Amended Clerk’s Default and the Amended  
5 Default Judgment of Forfeiture nunc pro tunc.

6 DATED this 12<sup>th</sup> day of September, 2014.

7  
8 Respectfully submitted,

9 DANIEL G. BOGDEN  
10 United States Attorney

11 /s/ Michael A. Humphreys  
12 MICHAEL A. HUMPHREYS  
13 Assistant United States Attorney  
14

15 IT IS SO ORDERED:  
16

17  
18   
19 UNITED STATES DISTRICT JUDGE

20 DATED: 9/15/14  
21  
22  
23  
24  
25  
26